

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of) Examiner: Shin-Lin Chen
Gary Kruh et al.)
Serial No. 09/647,140)
Filed: September 27, 2000)
For: "MRP-Related ABC)
Transporter Encoding)
Nucleic Acids and Methods)
of Use Thereof")

AMENDMENT UNDER 37 C.F.R. §1.312

Please amend the above-identified application as set forth below:

Please delete the names of Martin Belinsky and Lisa Bain from the inventive entity on the above-identified application.

REMARKS

A Notice of Allowance, dated February 18, 2004, was issued in the above-identified application allowing claims 1-3, 5, 6, 45-51, and 56-58. This paper is being submitted before payment of the Issue fee which has a due date of June 18, 2004. Upon review of the allowed claims, it became clear that a Rule 312 amendment would be necessary to amend the inventive entity listed for this Application in accordance with 37 C.F.R. §1.48(b) as Martin Belinsky and Lisa Bain did not make an inventive contribution to the subject matter ultimately found allowable by the Examiner. This amendment is formal in substance and do not introduce any new matter into the application.

It is respectfully requested that the Examiner enter the present amendment, in accordance with the provisions of 37 C.F.R. §1.312. This amendment was not presented earlier as the Notice of Allowance was only recently received in the office of the undersigned. The processing fee under 37 C.F.R.

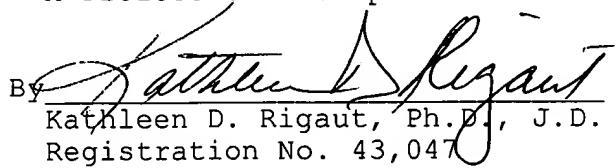
"1"

\$1.17(i) for amending inventorship in accordance with 37 C.F.R. §1.48(b) of \$130.00 is enclosed. The Examiner is authorized to charge any additional fees required to the deposit account of the undersigned, Deposit Account No.: 04-1406.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By


Kathleen D. Rigaut, Ph.D., J.D.

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(B7F)

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re the Application of

Gary Kruh et al.

Serial No. 09/647,140

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For: "MRP-Related ABC
Transporter Encoding
Nucleic Acids and Methods
of Use Thereof"

) Examiner: Shin-Lin Chen
)
)
) Art Unit: 1632
)
)
)
Docket No. 0149-FCCC.98-02US
)
)
)

Certificate of Mailing Under 37 CFR §1.8(a)

I hereby certify that this Correspondence is being deposited on
March 25, 2004 with the United States Postal Service as first-class mail in
an envelope properly addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450,
Alexandria, VA 22313-1450.

Janice M. Nightlinger

Janice M. Nightlinger

Computation of Fee for Entry of Amendment Under 37 CFR §1.312

[] No Additional Fee is required.
[X] A check is enclosed in the amount of \$ 130.00

*Applicant is a Small Entity.

In the event the check is improper, or the fee calculation is in error,
the Commissioner is authorized to charge any underpayment or credit any
overpayment to the account of the undersigned attorneys, Account No. 04-1406.
A duplicate copy of this sheet is enclosed.

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By

Kathleen D. Rigaut
Kathleen D. Rigaut, Ph.D., J.D.
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